

expected to occur with respect to the IRS reform legislation.

WELCOME BACK, SENATOR SPECTER

Mr. LOTT. Also, at this point I would like to welcome back our colleague, the senior Senator from Pennsylvania, Mr. SPECTER, who is recently back from surgery, and he just made this vote this afternoon.

(Applause, Senators rising.)

Mr. LOTT. I am sure he was watching that on TV essentially, but he did make this vote, and we are glad to have him back.

PRODUCT LIABILITY REFORM ACT OF 1997—MOTION TO PROCEED

The Senate continued with the consideration of the motion.

Mr. LOTT. Mr. President, I know of no further requests for time on the pending motion to proceed to the product liability bill.

Mr. DASCHLE. Mr. President, could we have order?

The PRESIDING OFFICER. The Senate will come to order.

Senators will take their conversations outside.

Mr. LOTT. I believe the question is on the motion?

The PRESIDING OFFICER. That is the regular order.

Is there further debate on the motion?

The motion was agreed to.

PRODUCT LIABILITY REFORM ACT OF 1997

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 648) to establish legal standards and procedures for product liability litigation, and for other purposes.

The Senate proceeded to consider the bill.

AMENDMENT NO. 3064

Mr. LOTT. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment 3064.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is printed in today's RECORD under "Amendments Submitted."

CLOTURE MOTION

Mr. LOTT. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the pending amendment to Calendar No. 90, S. 648, the Product Liability Reform Act of 1997:

Mr. LOTT. Mr. President, this is the cloture motion on the substitute product liability bill, and so for the information of all Senators, this vote will occur on Thursday of this week. I will consult with the Democratic leader as to exactly what time that will be.

And I now ask that the mandatory quorum under rule XXII be waived.

Mr. BYRD. Mr. President, reserving the right to object, and I do not intend to object, may we have a reading of those Members who signed the cloture motion.

The PRESIDING OFFICER. The clerk will continue to read.

The legislative clerk continued the reading of the cloture motion.

Senators Trent Lott, Don Nickles, Slade Gorton, Phil Gramm, John McCain, Spencer Abraham, Dan Coats, Dick Lugar, Lauch Faircloth, John Chafee, Sam Brownback, Ted Stevens, Jon Kyl, Jeff Sessions, Mike Enzi, and Judd Gregg.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. As a reminder, then, to all Senators, under the provisions of rule XXII, all first-degree amendments must be filed by 1 p.m. on Wednesday, and all second-degree amendments must be filed 1 hour prior to the cloture vote.

INTERNAL REVENUE SERVICE RESTRUCTURING AND REFORM ACT OF 1998—CONFERENCE REPORT

Mr. LOTT. I now move to proceed to the conference report to accompany H.R. 2676, the IRS reform bill.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 2676, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of June 24, 1998.)

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. DASCHLE. Mr. President, my reaction is, here we go again. Yet another piece of legislation laid down without any opportunity—

Mr. FORD. Mr. President, may we have order? I make a point of order the Senate is not in order.

The PRESIDING OFFICER. The Senate will come to order. The minority leader has the right to be heard. The Senate will come to order.

The minority leader.

Mr. DASCHLE. I thank the distinguished Senator from Kentucky.

Mr. President, I am very disappointed with the action just taken by my good friend, the majority leader. He has filed cloture on one of the most controversial, complex, far-reaching pieces of legal legislation that we will address in this decade. We have done this before, and it would seem to me that our colleagues would understand that when this happens, we are denying the very function of the U.S. Senate, the right of every Senator to offer amendments, the right to have a deliberative—

Mr. DODD. Mr. President, the Senate is not in order.

(Mr. ALLARD assumed the Chair.)

Mr. DASCHLE. It is the right of all Senators to fulfill the functions of their responsibilities as U.S. Senators to offer amendments, to have a debate. For us to file cloture, for the Senate to file cloture on a bill of this import, without one speech, without one amendment, without any consideration, is absolutely reprehensible.

I am very, very disappointed that the majority leader has seen fit to do it. I guess I would ask, What are they afraid of? What is it they don't want us to offer? What is it about the amendment process that worries our colleagues on the other side? What is it about not having a good debate that so appeals to them? Mr. President, I don't know.

But I do know this. Senators on this side of the aisle will continue to fight for our rights to offer amendments, regardless of circumstance. There are many of our colleagues who may support this bill on final passage, and I respect their rights even though I disagree. I personally think this bill is as bad as all the others that have been proposed, and I hope that we have a good debate about how good or how bad this legislation truly is. But for us to start the debate by saying that there will be little or no debate, especially when it comes to our opportunity to offer amendments, precluding the very right of every Senator to be heard, precluding the opportunity for us to offer ways in which we think it could be improved.

So we will have this debate over and over and over again. But on so many occasions now, our colleagues on the other side insist on denying the rights of every Senator to be heard. That doesn't have to happen. This is not the House of Representatives. This is not the most deliberative body in the world so long as we continue to utilize this practice. There is a time and a place for cloture, but that time and that place is not as soon as the bill is laid down. Many of us could have objected to the motion to proceed. We could have voted against going to the motion to proceed. We could have even filibustered the motion to proceed. We didn't do that. Why? Because, in good faith,